Abstract
The aim of P. Kivy’s recent De Gustibus: Arguing about Taste and Why We Do It (2015) is to answer to the very same question in terms of an emphasis on belief based on «phenomenological» (if not also ontological) «art-realism». Those who disagree on taste do so because they (explicitly or implicitly) see, in judgments relating to properties of artworks, the expression of beliefs, some of which are «true», and true in virtue of correctly reporting «facts» (non-aesthetic art-relevant facts, non-aesthetic art-relevant facts).

Resumen
El objetivo del reciente De Gustibus. Arguing about Taste and Why We Do It (2015), de P. Kivy es responder a la pregunta incluida en el título de su libro en términos de un énfasis en la creencia que se basa en un realismo en arte «fenomenológico» (si no también ontológico): quienes que disputan sobre «gusto» suelen hacerlo porque ellos (explicita o implicitamente) ven los juicios concernientes a las propiedades de las obras de arte como expresando creencias, algunas de las cuales son verdaderas, y
aesthetic art-relevant facts, or art value facts), and they try to convince others of what they think is «real» about art. Kivy follows the traces of this phenomenology of «beautiful» found in Hume’s work (and vs. Kant’s work). The main criticism is that it is actually possible to defend an alternative approach to understanding art in terms of «aspects» (an allegedly ‘anti-realist’ concept), so as to take account of rationality, disputes and the role of facts regarding judgments of taste. Kivy does not concede enough attention to the aesthetic experiences of seeing now what we were unable to see before (the «dawning» of an aspect), for example.

Keywords
Kivy, taste, phenomenology, belief, aesthetics, Wittgenstein

revdaberar en virtud de reportar hechos correctamente (hechos no estéticos relevantes para el arte, hechos estéticos relevantes para el arte o hechos de valor artístico), y tratan de convencer a otros de lo que ellos piensan que es ‘real’ sobre el arte. Kivy sigue el rastro de esa fenomenología de ‘lo bello’ a partir de la obra de Hume (y contra la obra de Kant). Mi crítica principal es que es posible defender un enfoque alternativo de la comprensión del arte en términos de aspectos (un concepto supuestamente ‘antirrealista’) a fin de tener en cuenta la racionalidad, las disputas y el papel de los hechos con respecto a los juicios de gusto. Kivy no presta suficiente atención a las experiencias estéticas de ver ahora lo que no podíamos ver antes (el «aparecer» de un aspecto), por ejemplo.

Palabras claves
Kivy, gusto, fenomenología, creencia, estética, Wittgenstein
Why do we need to argue about taste if the matter of the argument is, after all, a matter of taste and everybody knows that De gustibus non disputandum est? ¹

The aim of P. Kivy’s recent book De Gustibus. Arguing about Taste and Why We Do It (2015) is to answer that question. Of course, the question is an old acquaintance in the history of aesthetics, as we know (and Kivy also knews this very well). Hume, Kant, Hutcheson, Kames (among others) have tried to answer to that question in different ways.

My plan in this paper is, first, to summarize Kivy’s answer and evaluate it by remarking from the realist framework in which that answer takes a role; and second, to show an alternative approach from which it is possible to answer this question, an alternative approach based on the Wittgensteinian notion of aspect.

Kivy’s approach starts from a description of two kinds of negativism of disputes about taste:

1) disputes about taste are pointless (or even irrational) disputes because there are no objective criteria (there are no aesthetic facts) by which such disputes might be settled, and

2) disputes about taste are not, strictly speaking, «disputes» but rather «pseudo-disputes» or aesthetic «altercations» for the same reason.

Kivy thinks that there are genuine disputes about taste and that we have to offer an explanation for this, that is why we argue about taste. I agree with Kivy on this point.

Kivy answers the question in terms of an emphasis on the «belief» of relying on a «phenomenological» «art-realism»: those who argue about taste do so because they (explicitly or implicitly) see judgments concerning properties of artworks as expressing beliefs, some of which are «true», and true in virtue of correctly reporting «facts»

¹ This paper is a developed version of an unpublished text which was presented in The Royal Danish Academy of Fine Arts of Copenhagen on May 5th 2017, on Saturday, on the occasion of the conference entitled “Taste”. The starting point of the paper was Peter Kivy’s recent book De Gustibus. Arguing about Taste and Why We Do It (2015). Unfortunately, two days after my presentation in Copenhagen, I was returned at home in Spain, on Monday, and I knew the sad announcement that Peter Kivy passed away on May 6th, on Sunday. Then, the aim of that undertaking is also to pay a humble homage to Peter Kivy’s memory and to demonstrate the liveliness of his work in a practical way.
(non-aesthetic art-relevant facts, aesthetic art-relevant facts, or art value facts), and what they think is «real» about art they try to convince others of.

Kivy thinks that this phenomenology of taste has been rightly understood by Hume. I quote Kivy:

Now because there are, on Hume’s view, as we have seen, what he calls two species of common sense, one that beauty is a property of objects, that Milton is objectively better than Ogilby, the other that it is not, that there is no disputing about taste, it follows that there will be two kinds of perceivers of the beautiful. There will be those who experience beauty as a property of objects and believe it is so. And there will be those who experience beauty as a property of objects but believe that it is not a property of objects, rather a sentiment we project onto objects and perceive as a property of them. But the bottom line is that both kinds of beauty-perceivers will have the same experience: both will have the experience of beauty as smeared over, as «in» the object of perception.²

Kivy thinks that Kant, on the contrary, has not correctly understood this phenomenology of taste, because for Kant (following Kivy) the perceiver does not experience the sentiment as a property of objects. Kivy’s approach may be called «a realism of belief» (if not completely a realism of properties and values) for it seems undeniable that, whatever the case may be, the spectator believes that the aesthetic qualities or properties are in the work. In other words, the art spectator is a realist because he believes that the aesthetic features viewed in painting or heard in music, for example, or the emergent entities in literature, have a positive valence in order to help us recognize something as artistically valuable, and those features are (or are not) «in» the work. The belief, by itself, even if we doubt about the actual existence of the features in the work, would be enough to justify the dispute about taste. Kivy is intuitively in favour of an ontological (or metaphysical) realism of aesthetic properties and values, but he cannot (and has no need to) demonstrate it (until now, at least). He thinks that this is enough in order to defend his «realism of belief» in terms of an explanation offered for the fact that we argue about taste.

My problem with Kivy’s position is not realism. I don’t have any problem with his phenomenology, even if I am not really interested in finding a corresponding ontology or metaphysic base devoted to supporting this phenomenology. I am convinced that I am a realist accepting this phenomenology, but I suspect that Kivy (and realists in aesthetics in general) also require (or yearn for) the ontological (or metaphysical) second condition as well. I quote Kivy:

But it has been an accompanying thesis of this monograph that realism with regard to the meaning properties of art, the aesthetic properties of art, and the value properties of art may be a more plausible position than value theorist, even those that are moral realists, are prepared to

allow. […] However, as I have stated before, the truth of realism with regard to those properties of artworks that are value properties is a topic for another book; perhaps, indeed, another life.³

Then, my problem with Kivy’s approach is that I think it takes account confusingly (or insufficiently, at least) of our arguing about taste. Otherwise, once the phenomenological realist schema has been admitted, his explanation seems to me to be simply trivial.

I will advance that my explanation of our arguing about taste is this way: we argue about taste because we are willing to see, and to make other people see, what an artwork, or a piece of an artwork, means or expresses. Of course, that «seeing» is always related (fortunately) to the twofoldness of the aspect seeing: when I see the new aspect of the thing, I see that the thing is completely different, but at the same time I see that it is the same thing. Consequently, what I see «is» always «in» the thing, but at the same time it is dependent on my seeing in order to have this aspect. When I am now able to see (to hear, in fact) the initial theme of the symphony as a question, for example, (and not as an assertion) I am seeing at the same time that the musical notes are the same as before.

A theory of aspects is able to take account of the external layer of the aesthetic reception in a way that is unattainable for the realist explanation by Kivy (who is disposed to admit a certain projection of the aesthetic subject in Hume’s terms, though never in Kant’s terms). What is that external layer? An aspeclual approach is able to explain that

1) I see that the seeing is a seeing, rather than just a trial to convince someone else (to make someone believe) that something is in the work. And that seeing is perfectly compatible with a realist phenomenological schema because what I see now under the new comprehensive aspect «is in» the work, and there is no need for a special faculty to catch it, and

2) My seeing reveals a natural link, not only to the features in the work, but to the external world around it, if we pay attention to the typical procedures to pointing out in order to help other people to see the proper aspect of the work. For example, when we say «Let’s imagine the same notes in that different context» or «Compare this musical theme with this phrase or with this part of that canvas». There is no obsession, then, to point out some feature in the work in order to justify the realist phenomenology.

Then, why does Kivy block the possibility of an approach in terms of aspects? I have good reasons to suspect that the answer has to be founded in Kivy’s papers of the sixties, and more concretely in a paper of 1968 untitled Aesthetic Aspects and Aesthetic Qualities. The reasons of my suspicion are

³. Peter Kivy, De Gustibus..., op. cit., 160.
1) that Kivy’s anti-aspectualism is tainted by Kivy’s association of aspectualism with Virgil Aldrich’s claim that taste is an autonomous faculty (in the same vein of eighteenth century aesthetics, or at least some eighteenth century philosophers), and

2) that Kivy’s anti-aspectualism is tainted by a narrow conception of the notion of aspect which is very restricted to the perceptive extent of Wittgenstein’s examples of ambiguous figures (as the popular duck-rabbit), and is thus not open to a wider notion of aspect related to understanding rather than just to strictly perceiving.

I will develop both kinds of suspicions. In fact, the 1968 article opens with a criticism of Sibley’s aesthetic qualities (whose application is no rule-governed) for Kivy thinks that they demand an «inner sense» (in Hutcheson’s vein, which is very suspicious in Diderot’s eyes). This inner sense is «taste and sensibility». I quote Kivy:

Perhaps, it might be urged [as Aldrich does], what Sibley calls aesthetic qualities are analogous rather to the aspects of figures like the duck-rabbit and not proper qualities at all; and what he calls taste may merely be the ability to perceive these ‘aspects’. [...] But I think is a mistake to assume over readily that the concept of perceiving as [sic] will either circumvent all of Sibley’s troublesome aesthetic qualities or obviate all the difficulties involved in the notion of taste. [...] And if aesthetic taste ¾ the ability to perceive aesthetic qualities¾ can be identified with the ability to perceive as, haven’t we reduced two abilities to one and satisfied the law of parsimony? I do not think we have, even if we can understand all aesthetic perceiving as some kind of aspect-perceiving.4

I find it evident that Kivy has misunderstood Aldrich’s concept of aspect because Kivy conceives it as a mere piece substituting Sibley’s concept of qualities. Therefore, it is not strange that Kivy finds in Aldrich’s approach the same demand of a special faculty (taste) which contaminated Sibley’s approach. I quote Kivy:

The aspect theorist must postulate some aesthetic ‘ability’ or ‘talent’ over and above the ‘ability’ to perceive nonaesthetic aspects [...] .5

And some lines before:

he [Aldrich] mentions aesthetic ‘perceptiveness’ as a special ‘ability to notice or discern things’, distinguishing this from mere subjective preference or liking on the one hand, and from the good eyesight of people with 20-20 [normal] vision on the other.6

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Nevertheless, an aspectual approach has no need to claim for an esoteric special faculty of taste, because the realist assumption is in the roots of the notion of aspect (I see something different but I see simultaneously that it is the same thing), which is perfectly compatible with the attention to the social and cultural nature of the aesthetic appreciation.

Secondly, Kivy takes the Wittgensteinian duck-rabbit as a paradigm of aspects. Several scholars have shown that it is not the only example (nor the most relevant) in Wittgenstein's work, and I have defended the far-reaching significance of aspects for artistic and aesthetic understanding, beyond the short-range of mere perception. The narrow scope of Kivy concerning his notion of aspect is clearly revealed in his examples. Kivy takes the «monothematic structure» (a slightly modified repetition of the main idea) as a candidate of a feature which allows the ascription of the aesthetic quality (in Sibley's terms) of «unity» or «organic unicity». A «monothematic structure» is easy to find in Haydn's symphonies, but it isn't in Mozart's music. Yet we find Mozart's music coherent-unified. Thus, Kivy thinks that the ascription of unity in the second case cannot be resolved by being 'perceived as' pointing to some «crucial feature». I quote Kivy:

The duck-rabbit can be seen as a duck because (in part) the long protrusions can be seen as a duck bill. It can be seen as a rabbit because (in part) they can be seen as rabbit ears. But it cannot be seen as a camel because there is nothing in the figure that can be seen as a feature of camels.

And I quote Kivy again:

If, for example, we could point to certain melodies or melodic fragments of which Figaro is composed and say, To perceive Figaro as unified, hear these melodies as variations of the same basic tune, we would have something like what we need. There are, however, no such features in the work. You cannot sensibly ask someone to hear any melody at all as a variation of some other. You might just as well ask someone to see the two long protrusions of the duck-rabbit as the humps of a camel. If hearing unity in music were always an instance of aspect-perceiving, one could reasonably expect always to find features capable of being perceived as features of this unity in some characteristic way. Not all features will do, either, any more than all melodies can be heard as utterances of grief or all figures seen as duck bills or rabbit ears. Aspect-perceiving is not hallucinating, after all.

And now Kivy insists on the central role of pointing out to «crucial features» for an aspectual approach:

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8. Peter Kivy, "Aesthetic Aspects...", *op. cit.*, 90.
What I am suggesting, then, is that a distinguishing mark of aspect-perceiving situations seems to be the presence of crucial features to which we can point in support of aspect ascriptions. And if this is indeed the case, then there are going to be many instances of apparent aesthetic-quality ascriptions that are not analyzable into aspect ascriptions simply because these crucial features are missing. Aesthetic unity provides many such instances although it is not the only aesthetic concept that appears at times as a je ne sais quoi.10

Kivy confers to the aspectual approach the need to point to crucial features, but actually he is revealing the obsession of Kivy’s formalism itself. There are not humps to find, even if this is a camel, and even if there are not camels without humps. Kivy ignores the very range of what Wittgenstein called «further descriptions» in artistic and aesthetic language games. And Kivy is falling victim to its own trap when he tries to accuse the aspectualist approach of «hallucinating» or «esoteric» while at the same time he claims for the «uncanny» and «in-effable» nature of Mozart’s unity.

Yet Mozart has apparently managed to endue this basically fragmented form with a unity that is as inescapable as it is ineffable.11

I think it will be enough with an example of a further description in order to refute Kivy’s argument: we can imagine that I want to help someone to understand, that is to see, the unity of Le nozze di Figaro. I can follow the strategy suggested by Jordi Llovet in his text included in the folder of a CD edition of Mozart’s Le nozze di Figaro. I quote (my translation):

[While Beaumarchais made a big emphasis -according to the French dramatic tradition of the Grand Siècle and its influence- in the fact of every character having his own «personality» and speaking his own different language —Chacun y parle son langage, wrote Beaumarchais in a prologue to his work— Da Ponte took no care in that matter —which he left in the hands of the wisdom of Mozart in order to provide a musical personality to every character—, and Mozart solved it in a way par for the course of a genius: setting a sort of demotic polyphony of personalities, always submitted to the very action and to the moves and the situations of drama; then, all the characters of Le nozze di Figaro, far from being defined by themselves, become essential just in the whole and in the harmony of the music and drama taken as a whole. [...]. [...] It is hard to understand how a man little more than thirty years old could be able to confer to his music such a unity of sense, such a wise articulation of characters and personalities perfectly subsumed in the same atmosphere with barely no discontinuities [...] in spite of being so different, [...] in a lonely atmosphere governed by the law of desire, by their inconsistencies, their adventures, their privations, their disguises, their joys, and what they were lacking.12]

Llovet is inviting us to raise our eyes from the music and looking to the musical and dramatic building of characters in order to achieve to be able to understand and justify the organic unity of the music. But it is also an invitation to look at the music again, remarking on the musical diversity in a new seeing now coherent with the whole artistic plan of the opera.

Now, I want return to the question ‘Why should we argue about taste?’ What is helping us in Kivy’s answer ‘We argue about taste because we believe on aesthetic judgments expressing truths by virtue of aesthetic facts?’ Why is this better than the answer ‘We argue about taste because we see the appropriate aspect of the work?’ Firstly, underlying ‘believe’, I prefer ‘seeing’ because it shows in a clearer way that the aesthetic understanding rests on an aesthetic experience rather than merely on a bet, a conviction or an inclination. Secondly, if we underlay or support ‘facts’ in Kivy’s definition, I don’t know why this would be better than to postulate «aspects», if and when we remain aware that the aspects are always in the work (in a certain sense rooted in the twofoldness of the concept of aspect), that is, that nothing is needed beyond sight, hearing, and the rest of the senses, plus education and culture, plus a certain acuity or innate gift for something, in order to endorse the seeing (or even the taste that is behind it). And the aspectual scope would contribute furthermore to get rid of the realist temptation of the obligation to point to something crucial in the work, because from the aspectual approach I can point to something in the work but I can point also to something outside the work in order to make somebody able to see the right aspect. There are plenty of genuine Wittgensteinian examples of it: note that some Brahms themes are extremely kellerian (LC), the short scenes of some Shakespeare’s works have the same meaning as short choirs in Bach’s Passion (Rhees’s L.W. Personal Recollections), note that Bruckner’s Ninth Symphony is in a way a protest against Beethoven’s Ninth Symphony (CV), but also «let sing it and then you will see that is just the repetition what gives it his enormous power» (CV) or simply «You ask how I have experience the theme—and maybe I say ‘as a question’ or something like that, or I will play it by whistling with expression» (CV)

Of course, the word «see» is present in Kivy’s answer to why there is an argument about this matter, but I prefer the aspectual «see» and «make see» rather than Kivy’s «believe and make believe in the factual truth of judgments» also because it emphasises something that appeared in a paragraph of Sibley’s «Aesthetic Concepts», quoting in turn (inside it) Stuart Hampshire:14

Stuart Hampshire, for example, says that «One engages in aesthetic discussion for the sake of what one might see on the way... [I]f one has been brought to see what there is to be seen in

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the object, the purpose of discussion is achieved... The point is to bring people to see these features.15,16

Then, Hampshire's «see on the way» seems to bewitch even Sibley when he says:

How is it that by talking about features of the work (largely non-aesthetic ones) we can manage to bring others to see what they had not seen?17

And now Sibley is quoting Margaret Macdonald:

'What sort of endowment is this which talking can modify?... Discussion does not improve eyesight and hearing' (my italics)18, 19 [Sibley emphasizes Macdonald's word «talking» with his italics].

Wittgenstein's further descriptions are the answer to it. But the possibility of that «seeing on the way» is an essential possibility, not a continuous procedure in our everyday life.

Aspects theory does not mean that we have to be continuously «seeing as» (even if we are aware that there is a «seeing» behind my daily experiences, a «seeing» which may be compatible with and/or alternative to other «seeing»). Normally, we are just seeing, and not seeing as. Nevertheless, the possibility of changing my seeing through a seeing as is crucial in the artistic understanding (and in the aesthetic understanding in general). We would say that this possibility is crucial in general understanding (or understanding tout court) to the extent that all understanding is a receptive understanding, as the Greek etymology of aesthetics (aisthesis) never stops to remind us.

Of course, an aspectualist approach cannot overlook that there are beliefs, information and reasons involved in language games of arguing about taste (as my colleague María José Alcaraz has properly remarked20). And of course, there is also an emotive component involved in the justification of our aesthetic judgments (as my colleague Matilde Carrasco has properly outlined21).

But I would insist on the advantages of the twofoldness of aspects. From an aspectualist approach one could say: «This “is” here» (listen to that music as unified), but the unity is and is «not» there. On the one hand, the unity is not there until that I am able to listen to it so

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(through an aesthetic experience), but on the other hand the unity is always there even if I am unable to catch it, and the unity is there by virtue of being potentially caught. Of course, I know that the feature is there (I see and hear it), and at this point I am as much a realist as Kivy, though my realism has no need to be a realism of belief, properties nor values, there is no need to reject the existence of all that either. And I know that this is a shocking claim especially for those who have traditionally associated aspects theory with anti-realism.

In other words. The aesthetic property is located «in between» the two terms of a comparison in a further description: the unity of Le nozze di Figaro may be founded «in between» the diversity of music and the diversity of characters. And this is the sense of the definition of an aspect in terms of «an internal relationship between an object and other objects».

Coming back to Kivy’s example, if I am able to see the organic unity of Le nozze, it is not because I’m looking for humps, but because when I point to the ears as ears I am able to give my partner the appropriate «in between» and because I am able to make him look at the duck-rabbit that is Le nozze in a way that makes him able to see the rabbit’s head. Other classical «in between» examples of the same Wittgensteinian analogy invite us to imagine the duck-rabbit figure surrounded with drawings (or photos) of rabbits in different positions, or to imagine a short-story book which includes the duck-rabbit figure as an illustration. But I would also draw someone’s attention to the nose or the back of the neck of the rabbit. Or just not point to anything at all (as in the last Wittgensteinian examples of further descriptions) notwithstanding the fact that my operation keeps aiming at make someone to see an aspect. The relevant thing here is not that I could point to something in the work (I can always do that, simply by prompting someone by saying, for example: «Haven’t you actually heard the unity of Le nozze? But it is there in the music! Hear it, please!). The relevant thing is that the new aspect allows us to see the pointed feature as the ears of the rabbit. And the «in between» could adopt infinite forms and ways.

Naturally, we argue about taste because I know that your seeing is not the right one (though you are convinced that it is), I see your seeing even if I don’t see through your seeing. And you would insist: «No, it’s just because you are not able to see through my seeing, that you don’t accept it.» Other times the reasons are debated in the entrance hall of the seeing, and I buy or don’t buy the reasons (often contextual or historical ones, etc.), offered to me by another who sees it differently. Most often, my aesthetic judgment plays its role in the frame of a seeing shared with my partner, and it aims to contribute with an extension, enrichment or complementary element to the seeing. Anyway, to develop all those very varied sorts and uses of the aesthetic judgments in the field of arguing about taste would imply the development of what I called «the dimensional nature of aesthetic understanding» intimately related to a theory of aspects. And I suspect it will be the matter of future papers (or maybe a new book).

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22. See Matilde Carrasco Barranco, op. cit., 211 and Benjamin R. Tilghman, op. cit., footnote 8, quoting Wittgenstein PI.